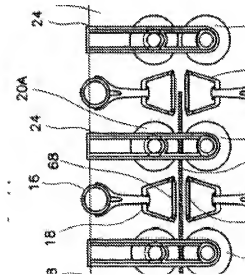


REMARKS

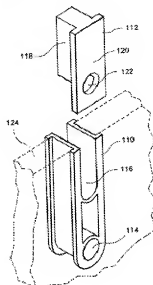
Applicant's attorney had endeavored unsuccessfully to reach the Examiner in charge of this application during October and the first week of November 2009 in order to make sure that all of the concerns of the Examiner were being addressed in the instant amendment. Upon the Examiner reaching this application for consideration, it is requested that the Examiner telephone Applicant's attorney so that any of the Examiner's concerns that are not addressed to the Examiner's satisfaction herein, can be further addressed in a telephone conference.

The Examiner has stated in the final paragraph of the Advisory Action of 16 July 2009 that Henington et al. would provide for two types of carrier elements (A) featuring insertion elements as conveying members (20a, 20b) and (B) featuring insertion elements which are treatment devices (fluid delivery apparatus 16, 18) and further that both carrier elements feature recesses (22) for the conveying members. The insertion elements would carry or secure at least one treatment device and an ensemble of conveying members. In this respect it is to be considered that the items designated with "(22)" are not recesses as described by the Examiner but rather covers (covering apparatus 22: col. 5, line 21), as described by Henington et al.

It seems that the Examiner has clearly misread Henington et al. Henington et al. do not expressly teach in the specification any carrier element; especially not two types of carrier elements. Henington et al. furthermore show in Fig. 1 a horizontal line which has no reference numeral and which, to one skilled in this art, would be interpreted as a carrier element (see arrow):



And further, Fig. 7C features a wall 124 which has a recess into which a primary part 110 and a secondary part 112 may be inserted:



However, even if one would consider the two Figs. in Henington et al. as a carrier element there is no indication that there are two types of carrier elements.

Most importantly however, it is submitted that the Examiner is mistaken in stating that the carrier elements feature insertion elements which would be treatment devices. In fact, the treatment devices disclosed by Henington et al. are the fluid delivery apparatus 16 as stated by the Examiner. But of course, Henington et al. do not teach that the fluid delivery apparatus would be an insertion element and even moreso Henington et al. do not teach that the insertion element would carry or secure a treatment device as claimed:

First, regarding the claimed invention, a treatment device cannot be an insertion element, because the insertion element carries or secures the treatment device / fluid delivery device. It is physically impossible that the same item carries or secures itself. This will also be the understanding of those skilled in the art which read claim 1. Therefore, it will be evident from the wording of claim 1 that the insertion element is an item which is different from the treatment device. The same holds true for the difference between insertion elements and conveying members.

Second, Henington's fluid delivery apparatus is not carried or secured by an insertion element: On the one hand the specification is silent as to how the fluid delivery apparatus 16 and the further electrode positioning apparatus 18 are fastened in Henington's electroplating machine. On the other hand Fig. 1 does neither show how the fluid delivery apparatus 16 and the

electrode positioning apparatus 18 are fastened in the machine. It will be clear from this Fig. that the fluid delivery apparatus 16 and/or the electrode positioning apparatus 18 are not carried or secured by any insertion element in a carrier element of this machine:

Fig. 1 shows the electroplating machine of Henington et al. in a sectional view. Therefore the fluid delivery apparatus 16 and the electrode positioning apparatus 18 (left arrows below) are shown in a sectional view, too. The same holds true for the upper rollers 20A and lower rollers 20B (right rollers below). It is evident from this Fig. that the rollers are inserted into respective apparatus 24 (upper arrow):

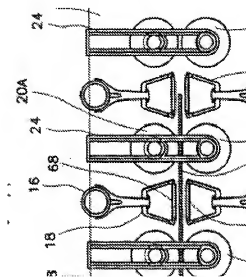
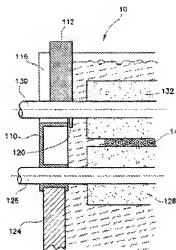


Fig. 1 of Henington et al clearly shows that the upper edge of the carrier element is substantially flush with the upper limit of the recesses which accommodate the apparatus 24. This apparatus 24 is made up of the primary part 110 and the secondary part 112 of Fig. 7C (col. 10, lines 19-20). Thus it is indicated that these recesses are provided in the carrier wall. This is also confirmed by the respective drawing in Fig. 7C where the wall 124 clearly has a recess into which the primary part 110 and the secondary part 112 are inserted.

The primary part 110 and the secondary part 112 are in turn used to accommodate the axes 126, 130 (arrows) of rollers 128, 132. It is further expressly stated that the axes of the rollers extend through the walls 124 (col. 10, lines 38-41, 50-58), which is shown in Fig. 7D:



However, Fig. 1 clearly shows that there are no such recesses provided for the fluid delivery apparatus: The horizontal line indicates the upper edge of the wall sections. The fluid delivery apparatus 16 are at least partially displayed behind the wall sections. Therefore, it is apparent from Fig. 1 that the fluid delivery apparatus 16 and – with it – the electrode positioning apparatus 18 is not carried or secured by an insertion element like that which is used for carrying or securing the rollers 20A, 20B. The fluid delivery apparatus 16 and the electrode positioning apparatus 18 are shown to be located in Fig. 1 rather behind the wall and not to penetrate same through a recess. Anyway, there is no positive teaching at all by Henington et al. that the items 16, 18 would be carried or secured by any insertion element which in turn would be fitted into recesses in the wall.

If alternatively, the Examiner would interpret the fluid delivery apparatus 16 to be inserted into the electrode positioning apparatus 18:

Fluid delivery apparatus 16



Electrode positioning apparatus
18

such insertion would not be in line with the wording of claim 1 because the electrode positioning apparatus 18 could not be construed to be the insertion element which in turn would

have, according to the claim wording, to be fitted into a recess in the carrier element. It will be evident that the electrode positioning apparatus 18 is not fitted into a recess in the wall. This is clearly indicated in the above detail.

Therefore, from the above, it cannot be in Henington et al that the treatment devices are carried or secured by the insertion elements as claimed in claims 1, 23, 24 and 26.

Regarding non-obviousness of the embodiment discussed above, the previous arguments of May 15, 2009 with regard to carrying or securing at least two conveying members by an insertion element are herein incorporated by reference (p. 35). Therefore, non-obviousness is due to the advantageous result that the conveying members and – in turn – the treatment devices can be easily exchanged without being urged to reconstruct the carrier wall. In this regard the previous arguments recited in the previous amendments, including those of April 8, 2009 (pgs. 2-5) are also herein incorporated by reference. Further, the arguments in favor of non-obviousness not only refer to at least two conveying members which are all located on one side of the conveying path and to at least one treatment device but also to an ensemble of at least one conveying member and at least one treatment device.

All of the above comments with respect to claim 1 apply equally as well to independent claims 23 and 24, which present the essential subject matter of claim 1 in alternative forms.

New claims 25, 26 and 27 are presented as independent claims, each one featuring a different one of the three types of structure that appears in the characterizing clause of claim 1, so that each of new independent claims 25, 26 and 27 is somewhat narrower than claim 1, with respect to its characterizing clause.

Reconsideration and allowance of all of the claims are respectfully requested.